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December 12, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Enclosed please find the following in connection with Applicant's desire to seek issuance of Letters Patent:


Response to Restriction Requirement;

Cover letter;

Certificate of Express Mailing;

Self addressed and stamped post card for return to Mr. Ellicott indicating receipt of this application by the Patent and Trademark Office.

Sincerely,



Kevin Ellicott, Esq.
Reg. No. 38,867



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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to:
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12-14-05

Applicant: Joseph E. Poquette
Serial No: 10/825,695
Group Art Unit: 3681
Filed: September 04/16/ 2004
Title: Excavator and backhoe attachment adapter
Examiner: Newville, Toni

DPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action mailed November 23, 2005, Applicant restricts and traverses as follows:

Compliance with Restriction Requirement: Applicant ELECTS claims 1-14, restricting to the claims drawn to an excavator and backhoe attachment adapter.

Applicant TRAVERSES the restriction. Applicant respectfully traverses the restriction requirement on the grounds of Unity of Invention. The "manbasket" or implement claimed in claim 15 is useful ONLY in connection with the adapter disclosed and claimed in the application. As disclosed, the implement is only useful when attached to the novel adapter. The function of the adapter is to make possible the use of the implement disclosed (and other such implements having appropriate means for connecting to the

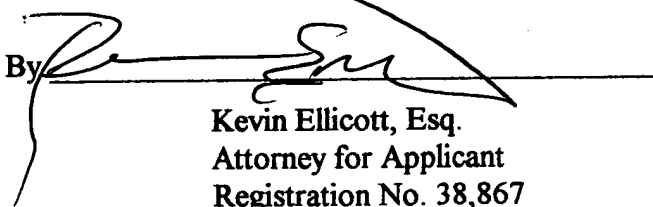
adapter). The implement must, in fact, be used with the adapter, or it cannot be used at all in connection with a backhoe or excavator. Clearly, if there is any question as to the interrelatedness of the implement and the adapter, it can be resolved during amendment through clarification of the claim language. Applicant therefore respectfully urges the Examiner to reconsider the restriction/election requirement, and allow examination to proceed on the adapter and the implement which is configured for use with that adapter.

Claims 1-15 are now in the case. Applicant restricts to Claims 1-14 and traverses the Examiner's requirement that either claims 1-14 or claim 15 be elected for examination. No fee is due.

Respectfully,

Joseph E. Poquette

By



Kevin Ellicott, Esq.
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